

Judicial Branch Appropriations Bill LSB1126S

Last Action:

**Joint Appropriations
Subcommittee**

March 19, 2003

AN ACT relating to and making appropriations to the Judicial Branch.



On Line At
staffweb.legis.state.ia.us/lfb/noba

**LEGISLATIVE FISCAL BUREAU
NOTES ON BILLS AND AMENDMENTS (NOBA)**

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**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**LSB1126S
JUDICIAL BRANCH APPROPRIATIONS BILL**

TOTAL FY 2004 APPROPRIATION

- Appropriates a total of \$115.4 million from the General Fund to the Judicial Branch. This is an increase of \$4.2 million compared to the FY 2003 estimated net appropriation. Judicial Branch FTE positions are not appropriated in the Bill; however, there are 1,921.0 FTE positions, which is an increase of 2.0 FTE positions compared to the FY 2003 estimated net appropriation.

JUDICIAL RETIREMENT FUND

- Maintains current level of the State's contribution rate to the Judicial Retirement System. The statutory contribution rate for Judicial Retirement is notwithstanding, and the percentage is reduced from 23.7% to 9.9% of covered payroll. (Page 3, Line 15)

INTENT LANGUAGE AND REQUIRED REPORTS

- Requires the Judicial Branch to submit monthly financial statements on all appropriated accounts to the Legislative Fiscal Bureau (LFB) and the Department of Management (DOM). (Page 1, Line 25)
- Specifies that the Offices of the Clerks of the District Court operate in all 99 counties and be accessible to the public as much as reasonably possible. (Page 2, Line 2)
- Requires the Judicial Branch to provide a semi-annual report to the LFB, specifying the amount of fines, surcharges, and court costs collected using the Iowa Court Information System (ICIS). (Page 2, Line 16)
- Requires the Judicial Branch to report to the Legislative Fiscal Bureau by January 1, 2004, regarding the revenues and expenditures for the Enhanced Court Collections Fund and the Court Technology and Modernization Fund. The report shall include revenues and expenditures for FY 2003 and planned expenditures for FY 2004. (Page 2, Line 24)
- Requires that until a Clerk of Court Study Report is received by the General Assembly, the State Court Administrator will approve all Clerk of Court appointments. (Page 3, Line 25)
- Requires the Judicial Branch to provide the LFB with reports in electronic format. (Page 3, Line 32)

STUDY COMMITTEE

- Requires the Supreme Court, in consultation with the Iowa State Bar Association, juvenile probation officers, the State Public Defender, clerks of district court, Iowa Legal Services Corporation, County Boards of Supervisors, Community-Based Corrections, the Iowa County Attorneys Association, and district court judges, to study methods to achieve efficiency and cost savings within the Judicial Branch. The Supreme Court is to present the report to the General Assembly by December 15, 2003. (Page 2, Line 34)

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

- Notwithstands Section 602.9104, Code of Iowa, to reduce the State's contribution for the Judicial Retirement Fund from 23.7% to 9.9% of covered payroll. (Page 3, Line 15)
- Notwithstands Section 602.1215, Code of Iowa, to permit the State Court Administrator to approve all Clerk of Court appointments. (Page 3, Line 25)

LSB1126S

LSB1126S provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
3	15	2	Nwthstnd	Sec. 602.9104	Reduces State's Share of Covered Payroll.
3	25	3	Nwthstnd	Sec. 602.1215	State Court Administrator to approve District Court Clerk appointments.

1 1 Section 1. JUDICIAL BRANCH. There is appropriated from
 1 2 the general fund of the state to the judicial branch for the
 1 3 fiscal year beginning July 1, 2003, and ending June 30, 2004,
 1 4 the following amount, or so much thereof as is necessary, to
 1 5 be used for the purposes designated:
 1 6 For salaries of supreme court justices, appellate court
 1 7 judges, district court judges, district associate judges,
 1 8 judicial magistrates and staff, state court administrator,
 1 9 clerk of the supreme court, district court administrators,
 1 10 clerks of the district court, juvenile court officers, board
 1 11 of law examiners and board of examiners of shorthand reporters
 1 12 and judicial qualifications commission, receipt and
 1 13 disbursement of child support payments, reimbursement of the
 1 14 auditor of state for expenses incurred in completing audits of
 1 15 the offices of the clerks of the district court during the
 1 16 fiscal year beginning July 1, 2003, and maintenance,
 1 17 equipment, and miscellaneous purposes:
 1 18 \$113,354,603

General Fund appropriation to the Judicial Branch for operations.

 DETAIL: This is an increase of \$4,200,000 compared to the FY 2003
 estimated net appropriation. Judicial Branch FTE positions are not
 appropriated in the Bill; however, there are 1,921.01 FTE positions,
 which is an increase of 2.00 FTE positions compared to the FY 2003
 estimated net appropriation.

1 19 1. The judicial branch, except for purposes of internal
 1 20 processing, shall use the current state budget system, the
 1 21 state payroll system, and the Iowa finance and accounting
 1 22 system in administration of programs and payments for
 1 23 services, and shall not duplicate the state payroll,
 1 24 accounting, and budgeting systems.

Prohibits the Judicial Branch from duplicating current State payroll,
 budgeting, and accounting systems, except for the implementation of
 an internal accounting and record keeping system.

1 25 2. The judicial branch shall submit monthly financial
 1 26 statements to the legislative fiscal bureau and the department
 1 27 of management containing all appropriated accounts in the same
 1 28 manner as provided in the monthly financial status reports and
 1 29 personal services usage reports of the department of revenue
 1 30 and finance. The monthly financial statements shall include a
 1 31 comparison of the dollars and percentage spent of budgeted
 1 32 versus actual revenues and expenditures on a cumulative basis
 1 33 for full-time equivalent positions and dollars.

Requires the Judicial Branch to submit monthly financial statements
 on all appropriated accounts to the Legislative Fiscal Bureau (LFB)
 and the Department of Management (DOM). Specifies what is to be
 included in the financial statements.

1 34 3. The judicial branch shall focus efforts upon the
1 35 collection of delinquent fines, penalties, court costs, fees,
2 1 surcharges, or similar amounts.

Requires the Judicial Branch to focus efforts on collecting delinquent fines and fees.

2 2 4. It is the intent of the general assembly that the
2 3 offices of the clerks of the district court operate in all
2 4 ninety-nine counties and be accessible to the public as much
2 5 as is reasonably possible in order to address the relative
2 6 needs of the citizens of each county.

Specifies that it is the intent of the General Assembly that the Judicial Branch operate the Clerk of Court offices in all 99 counties and ensure the offices are accessible to the public as much as is reasonably possible.

2 7 5. In addition to the requirements for transfers under
2 8 section 8.39, the judicial branch shall not change the
2 9 appropriations from the amounts appropriated to the judicial
2 10 branch in this Act, unless notice of the revisions is given
2 11 prior to their effective date to the legislative fiscal
2 12 bureau. The notice shall include information on the branch's
2 13 rationale for making the changes and details concerning the
2 14 work load and performance measures upon which the changes are
2 15 based.

Requires the Judicial Branch to notify the LFB prior to any intradepartmental transfer of funds. Specifies the contents of the notice.

2 16 6. The judicial branch shall submit a semiannual update to
2 17 the legislative fiscal bureau specifying the amounts of fines,
2 18 surcharges, and court costs collected using the Iowa court
2 19 information system since the last report. The judicial branch
2 20 shall continue to facilitate the sharing of vital sentencing
2 21 and other information with other state departments and
2 22 governmental agencies involved in the criminal justice system
2 23 through the Iowa court information system.

Requires the Judicial Branch to provide a semi-annual report to the LFB, specifying the amount of fines, surcharges, and court costs collected using the Iowa Court Information System (ICIS). The Judicial Branch will continue to share vital sentencing and other information with departments and government agencies involved with the criminal justice system through the ICIS.

2 24 7. The judicial branch shall provide a report to the
2 25 general assembly by January 1, 2004, concerning the amounts
2 26 received and expended from the enhanced court collections fund
2 27 created in section 602.1304 and the court technology and
2 28 modernization fund created in section 602.8108, subsection 5,

Requires the Judicial Branch to report to the General Assembly by January 1, 2004, concerning the revenues and expenditures of the Enhanced Court Collections Fund and the Court Technology and Modernization Fund for FY 2003 and plans for expenditures for FY 2004. The Judicial Branch is required to provide a copy of this report to the LFB.

2 29 during the fiscal year beginning July 1, 2002, and ending June
 2 30 30, 2003, and the plans for expenditures from each fund during
 2 31 the fiscal year beginning July 1, 2003, and ending June 30,
 2 32 2004. A copy of the report shall be provided to the
 2 33 legislative fiscal bureau.

2 34 8. The supreme court, in consultation with the Iowa state
 2 35 bar association, juvenile probation officers, the state public
 3 1 defender, clerks of the district court, the legal services
 3 2 corporation of Iowa, the supervisors affiliate of the Iowa
 3 3 state association of counties, the judicial district
 3 4 departments of correctional services, the Iowa county
 3 5 attorneys association, and district judges, shall study
 3 6 methods to achieve efficiency and cost savings within the
 3 7 judicial branch. The study shall include recommendations on
 3 8 the best practices for court administration, utilizing court
 3 9 personnel including judges, magistrates, and clerks of the
 3 10 district court, customer service and delivery of court
 3 11 services, measuring of performance and performance-based
 3 12 budgeting, and judicial district redistricting. The supreme
 3 13 court shall submit a report with findings and recommendations
 3 14 to the general assembly by December 15, 2003.

Requires the Supreme Court, in consultation with the Iowa State Bar Association, juvenile probation officers, the State Public Defender, clerks of district court, Iowa Legal Services Corporation, County Boards of Supervisors, Community-Based Corrections, the Iowa County Attorneys Association, and district court judges, to study methods to achieve efficiency and cost savings within the Judicial Branch. Specifies what will be contained in a report and requires that the Supreme Court present the report to the General Assembly by December 15, 2003.

3 15 Sec. 2. JUDICIAL RETIREMENT FUND. There is appropriated
 3 16 from the general fund of the state to the judicial retirement
 3 17 fund for the fiscal year beginning July 1, 2003, and ending
 3 18 June 30, 2004, the following amount, or so much thereof as is
 3 19 necessary, to be used for the purpose designated:
 3 20 Notwithstanding section 602.9104, for the state's
 3 21 contribution to the judicial retirement fund in the amount of
 3 22 9.9 percent of the basic salaries of the judges covered under
 3 23 chapter 602, article 9:
 3 24 \$ 2,039,664

General Fund appropriation to the Judicial Branch for the Judicial Retirement Fund.

DETAIL: Maintains current level of funding.

CODE: Notwithstanding Section 602.9104, Code of Iowa, to reduce the State's contribution to the Judicial Retirement Fund from 23.70% to 9.90% of the basic salaries of the judges covered under Chapter 602, Article 9.

3 25 Sec. 3. APPOINTMENT OF CLERK OF COURT. Until the supreme

Requires that until the Clerk of Court report required in the 2002 Iowa Acts, Second Extraordinary Session, is received by the General

3 26 court submits its clerk of court study committee report to the
 3 27 general assembly pursuant to 2002 Iowa Acts, Second
 3 28 Extraordinary Session, chapter 1003, section 176, and
 3 29 notwithstanding section 602.1215, the appointment of a clerk
 3 30 of the district court shall not occur unless the state court
 3 31 administrator approves the appointment.

Assembly, the State Court Administrator will approve all Clerk of Court appointments.

DETAIL: The State Court Administrator is supervising the appointment of clerks of the district court for State budgetary reasons.

CODE: Notwithstands Section 602.1215, Code of Iowa, to permit the State Court Administrator to approve the appointment of a clerk of the district court.

3 32 Sec. 4. POSTING OF REPORTS IN ELECTRONIC FORMAT --
 3 33 LEGISLATIVE FISCAL BUREAU. All reports or copies of reports
 3 34 required to be provided by the judicial branch for fiscal year
 3 35 2003-2004 to the legislative fiscal bureau shall be provided
 4 1 in an electronic format. The legislative fiscal bureau shall
 4 2 post the reports on its internet site and shall notify by
 4 3 electronic means all the members of the joint appropriations
 4 4 subcommittee on the justice system when a report is posted.
 4 5 Upon request, copies of the reports may be mailed to members
 4 6 of the joint appropriations subcommittee on the justice
 4 7 system.

Requires the Judicial Branch to provide the LFB with reports in electronic format so that the reports can be placed on the LFB web site. The LFB is to notify members of the Joint Justice System Appropriations Subcommittee filing of new reports.

4 8 EXPLANATION

4 9 This bill makes appropriations for FY 2003-2004 to the
 4 10 judicial branch.
 4 11 The bill includes a reduction in the percentage of the
 4 12 state's contribution to the judicial retirement fund for FY
 4 13 2003-2004.
 4 14 LSB 1126JA 80
 4 15 jm/cl/14

Justice System

General Fund

LSB1126S	Actual FY 2001	Actual FY 2002	Estimated Net FY 2003	Senate Subcom FY 2004	Senate Sub vs Est FY 2003	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
Judicial Branch						
Judicial Branch	\$ 111,913,805	\$ 111,356,002	\$ 109,154,603	\$ 113,354,603	\$ 4,200,000	PG 1 LN 1
Judicial Retirement	4,499,350	3,039,198	2,039,664	2,039,664	0	PG 3 LN 15
Total Judicial Branch	\$ 116,413,155	\$ 114,395,200	\$ 111,194,267	\$ 115,394,267	\$ 4,200,000	

Justice System

FTE

LSB1126S	Actual FY 2001	Actual FY 2002	Estimated Net FY 2003	Senate Subcom FY 2004	Senate Sub vs Est FY 2003	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Judicial Branch</u>						
Judicial Branch	2,041.51	2,104.38	1,919.01	1,921.01	2.00	
Operations	2,041.51	2,104.38	1,919.01	1,921.01	2.00	
Grand Total	<u>2,041.51</u>	<u>2,104.38</u>	<u>1,919.01</u>	<u>1,921.01</u>	<u>2.00</u>	